

## **Exhibit C – Resolution with Findings**

### **IN THE BOARD OF SUPERVISORS** COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

\_\_\_\_\_ day \_\_\_\_\_, 2013

**PRESENT:** Supervisors

**ABSENT:**

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING THE REQUEST BY DANA ADOBE NIPOMO AMIGOS TO WAIVE THE ADMINISTRATIVE FEE FOR PROCESSING OF AN ENVIRONMENTAL IMPACT REPORT FOR A LAND USE ORDINANCE AMENDMENT TO CHANGE THE SOUTH COUNTY (INLAND) AREA PLANNING AREA STANDARDS AND A CONDITIONAL USE PERMIT FOR A NEW MUSEUM AND VISITOR'S CENTER.

The following resolution is now offered and read:

WHEREAS, Dana Adobe Nipomo Amigos, a 501(c)3 California non-profit corporation, has requested a waiver of the administrative fee for processing of an Environmental Impact Report for a Land Use Ordinance Amendment to change the South County (Inland) Area planning area standards and a Conditional Use Permit for a new museum and visitor's center; and

WHEREAS, as set forth in Footnote 4.e of the Department of Planning and Building Fee Schedule, the request of Dana Adobe Nipomo Amigos for waiver of the administrative fee for processing of an Environmental Impact Report for a Land Use Ordinance Amendment to change the South County (Inland) Area planning area standards and a Conditional Use Permit for a new museum and visitor's center must be heard and decided by the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the Board of Supervisors); and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on May 14, 2013, and a determination and decision was made on May 14, 2013; and

WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said waiver request; and

WHEREAS, the Board of Supervisors has duly considered the request and finds that the request for waiver of land use permit fees should be granted subject to the findings set forth below.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.
3. That the request by Dana Adobe Nipomo Amigos is hereby approved for waiver of the administrative fee for processing of an Environmental Impact Report for a Land Use Ordinance

Amendment to change the South County (Inland) Area planning area standards and a Conditional Use Permit for a new museum and visitor's center.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_

, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT.

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairman of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL  
County Counsel

By:   
Deputy County Counsel

Dated: May 1, 2013

STATE OF CALIFORNIA,                     )  
  ) ss.  
County of San Luis Obispo               )

I, \_\_\_\_\_, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

County Clerk and Ex-Officio Clerk of the  
Board of Supervisors

(SEAL)

By: \_\_\_\_\_ Deputy Clerk

## **Exhibit C – Resolution with Findings**

### **Findings**

1. The project meets a need previously identified or recognized by the Board of Supervisors because it helps implement the Master Plan for the Dana Adobe historic site with a museum and visitor's center that has been recognized by the County through the South County (Inland) Area Plan.
2. The project provides a facility not presently available in the community because it will serve individuals who are not adequately served in the county at this time.
3. The project has generated substantial, obvious, community support.
4. The project would reduce other County costs because it is not funded directly by the County and it will serve individuals that live in the community. In addition, it will attract tourists from outside the County who will spend money at the Dana Adobe and within San Luis Obispo County.
5. Waiver of the fees is equitable and in the public interest per Footnote 4.e of the San Luis Obispo County Department of Planning and Building Fee Schedule because the museum and visitor's center is being developed and maintained at no expense to the County, will be available to the public at large with no access fee, and will create educational opportunities for the community.

**Footnote 7**  
**San Luis Obispo County Department of Planning and Building Fee Schedule**

The Planning Director is delegated the authority to grant fee waiver request for land use and construction permits on development projects that are proposed by volunteer, community, or nonprofit organizations for the benefit of an entire community when the project satisfies the following criteria. The policy does not apply to requests for general plan amendments.

- a. The proposed project will be available for use by the public at-large and it is likely that the project will be used or will benefit more than the residents of the immediate vicinity: and
- b. The project will be of obvious public benefit. Evidence of public benefit may include but is not limited to:
  - 1. The project meets a need previously identified or recognized by the Board of Supervisors
  - 2. The project replaces another facility that previously provided public benefit.
  - 3. The project provides a facility not presently available in the community.
  - 4. The project has generated substantial, obvious community support.
  - 5. The project would reduce other County costs or increase other County revenues.
- c. The fee(s) to be waived will not exceed a total of \$ 5,000.
- d. The Planning Director decisions may be appealed in writing within ten days to the Board of Supervisors, whose decisions will be final.
- e. Notwithstanding any other provision of this fee schedule, the Board of Supervisors retains the authority to consider other fee waiver requests when it considers such waivers to be equitable and in the public interest.